DOWNTOWN CENTER

DCBID

BUSINESS IMPROVEMENT DISTRICT

April 16, 2019

The Honorable Mark Stone
Chair, Assembly Judiciary Committee
State Capitol
Sacramento, CA 95814

RE: Assembly Bill 1184 (Gloria) – Public Records; writing transmitted by electronic mail: retention – **OPPOSE UNLESS AMENDED**
Hearing Date: April 23, 2019 – Assembly Judiciary Committee

Dear Assemblymember Stone:

The Downtown Center Business Improvement District (DCBID) respectfully opposes unless amended Assembly Bill 1184 (Gloria) which imposes a minimum two-year retention period for EVERY writing transmitted by electronic email.

AB 1184 is extremely broad and will result in the retention of all and any email transmissions regardless of its relevance to the public good. Every email, regardless of how irrelevant would need to be retained. Requiring such is overly burdensome on agencies and provides no benefit to the public. Agencies would be forced to maintain an onerous amount of data, while the public would need to sort through thousands of emails to find the relevant needle in the haystack. Even an email asking a colleague out to lunch would fall under the purview of this bill.

The CPRA was created to ensure the public has access to information concerning the conduct of the people's business as a fundamental and necessary right of every person in this state, a charge the DCBID does not take lightly. In recent years, however, agencies have seen an enormous increase (often abusive) in the number of CPRA requests. Requiring the retention of tens of thousands of emails will bury relevant information, increase costs for agencies such as BIDs, and compound the problem of serial litigants who will use this requirement in an abusive manner.

As drafted, AB 1184 butts up against the spirit of the CPRA to get information to the public. However, we believe the bill can be amended to ensure that the retention only apply to information relevant to the public business. In talking to the author, we do not believe it is his intent to require **every** email be retained. For this reason, we oppose

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unless amended and look forward to working with Assemblymember Gloria to achieve the goal of supporting the CPRA without placing undue burden on the public or agencies.

Please feel free to contact me should you have any questions.

Sincerely,

Suzanne Holley

cc: The Honorable Todd Gloria
Members, Assembly Judiciary Committee
Thomas Clark, Counsel, Assembly Judiciary Committee
Paul Dress, Consultant, Assembly Republican Caucus